

09-47679

United States Bankruptcy Court			<b>INVOLUNTARY PETITION</b>
<u>Western</u>	<u>District of</u>	<u>Washington</u>	
IN RE (Name of Debtor – If individual: Last, First, Middle)  <b>FRANCISCAN HEALTH SYSTEMS (et al) a/k/a PIERCE COUNTY SUPERIOR COURT #09-2-06127-6</b>		ALL OTHER NAMES used by debtor in the last 8 years (Include married, maiden, and trade names.)  <b>MICHELLE M GARZON; WILLIAMS KASTNER &amp; GIBBS, PLLC; MARK GELMAN; KATHERINE M STOLZ; REBECCA KAYE REEDER;</b>	
Last four digits of Social-Security or other Individual's Tax-I.D. No./Complete EIN (If more than one, state all.):			
STREET ADDRESS OF DEBTOR (No. and street, city, state, and zip code)  <b>1717 S J St Tacoma , WA 98405</b>		MAILING ADDRESS OF DEBTOR (If different from street address)  <b>C/O CLERK, 1ST FLOOR 930 TACOMA AVE S TACOMA WA</b>	
COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS  <b>PIERCE</b>		ZIP CODE  <b>PIERCE</b> ZIP CODE  <b>98402</b>	
LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (If different from previously listed addresses)			
CHAPTER OF BANKRUPTCY CODE UNDER WHICH PETITION IS FILED  <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11			
<b>INFORMATION REGARDING DEBTOR (Check applicable boxes)</b>			
Nature of Debts (Check one box.)  Petitioners believe:  <input type="checkbox"/> Debts are primarily consumer debts <input checked="" type="checkbox"/> Debts are primarily business debts	Type of Debtor (Form of Organization)  <input type="checkbox"/> Individual (Includes Joint Debtor) <input type="checkbox"/> Corporation (Includes LLC and LLP) <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Nature of Business (Check one box.)  <input checked="" type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51)(B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other	
VENUE		FILING FEE (Check one box)  <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> Petitioner is a child support creditor or its representative, and the form specified in § 304(g) of the Bankruptcy Reform Act of 1994 is attached. <i>If a child support creditor or its representative is a petitioner, and if the petitioner files the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.</i>	
<b>PENDING BANKRUPTCY CASE FILED BY OR AGAINST ANY PARTNER OR AFFILIATE OF THIS DEBTOR</b> (Report information for any additional cases on attached sheets.)			
Name of Debtor	Case Number	Date	
Relationship	District	Judge	
<b>ALLEGATIONS</b> (Check applicable boxes)		2009 10 14 PM 3:27 COURT USE ONLY	
1. <input type="checkbox"/> Petitioner (s) are eligible to file this petition pursuant to 11 U.S.C. § 303 (b). 2. <input checked="" type="checkbox"/> The debtor is a person against whom an order for relief may be entered under title 11 of the United States Code. 3.a. <input type="checkbox"/> The debtor is generally not paying such debtor's debts as they become due, unless such debts are the subject of a bona fide dispute as to liability or amount; or b. <input type="checkbox"/> Within 120 days preceding the filing of this petition, a custodian, other than a trustee receiver, or agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.			





Case Number: 09-2-06127-6 Date: September 30, 2009  
 MailID: 0D18A783-F20F-6452-D959274B02FAF96C  
 Initially Certified By: Kevin Stock Pierce County Clerk, Washington

09-2-06127-6 32255358 NT 08-15-09

Kenneth Wayne  
POSTMASTER



Dept. 2  
Note for Motion: N/A  
**THE FINAL CONTRACT IS POSTED  
SERVICE**

*IN COUNTY FILED CLERK'S OFFICE*

A.B. JUN 19 2009

*PIERCE COUNTY, WASHINGTON  
KEVIN STOCK, County Clerk  
DEPUTY*

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR THE COUNTY OF PIERCE**

**Case No. 09 2 06127 6**

**FRANCISCAN HEALTH SYSTEM d/b/a ST CLARE HOSPITAL**

*Plaintiff(s)/Petitioners*

vs.

**KENNETH W. LEAMING**

*Defendant(s)/Respondent(s)*

**POSTING OF CERTIFICATE OF NON-  
RESPONSE /DEFAULT as to THE  
COUNTERCLAIM(S) IN ADMIRALTY**

**CONTRACT VACATING PRO-TEM COMMISSIONER'S ORDER  
FINDING "FRIVOLOUS LIEN" as to Pierce County auditor's  
file #200812170711**

**Kenneth Wayne LEAMING  
IN SPECIAL VISITATION**

Vs.

**Michelle M. Garzon, dba: MICHELLE M GARZON,  
ATTORNEY;  
WILLIAMS KASTNER & Gibbs PLLC;**

**Kenneth Wayne  
POSTMASTER**



**BOND /Sureties underwriting WILLIAMS KASTNER & Gibbs PLLC;**

**Mark Gelman a/k/a MARK GELMAN, dba: Commissioner GELMAN**

**BOND /Sureties underwriting Mark Gelman a/k/a MARK GELMAN, dba: COMMISSIONER GELMAN;**

**Katherine M. Stolz, dba: KATHERINE M STOLZ, Dept. 2;**

**BOND /Sureties underwriting KATHERINE M STOLZ, Dept. 2;**

**Rebecca Kaye Reeder , dba: REBECCA KAYE REEDER A/K/A PRO-TEM COMMISSIONER REEDER;**

**BOND /Sureties underwriting REBECCA KAYE REEDER A/K/A PRO-TEM COMMISSIONER REEDER;**

**FRANCISCAN HEALTH SYSTEMS, d/b/a ST CLARE HOSPITAL INDIVIDUALLY AND SEVERALLY**  
***3<sup>rd</sup> Party Respondent(s) in Admiralty***

**FACTS:**

Third Party Respondents, each of whom has appeared on the record of the above referenced action, are/were served the Third Party counterclaim on or before 20 March 2009.

Third Party Counterclaimant has received no verified and/or bonded responsive process.

Third Party Respondents have not controverted any fact or claim.

---

**FINAL OPPORTUNITY TO PROVIDE REMEDY /PAYMENT**

---

The Third Party Defendants have had more than 14 calendar days to pay or discharge the Following:



Pay the Third Party Plaintiff \$100,000.00 (One Hundred Thousand US dollars) as is designated in the counterclaim herein, OR,

Pay all damages as indicated by the counterclaim contained herein with Real Money, Surrender any and all Public Hazard Bonds, other Bonds, Insurance Policies, 801(k), 408(k), 401(k) and the like retirement funds, CAFRA Funds, etc. as needed to satisfy counterclaim herein, ...OR,

**Third Party Defendants failed to respond as outlined and are in a condition of Default.** The Non Response is a Self Executing Confession of Judgment by all Third Party Defendants, and is the complete agreement with all the statements, terms, and conditions of this contract.

**This is a contract in Admiralty.** Any officer of the court that interferes or involves him/herself with this claim will be added to this claim and become a Third Party Defendant. All Third Party Defendants are collectively and individually liable for this claim.

**The "ORDER(s)" of the Commissioner and "pro-tem" commissioner are hereby vacated.**

---

COUNTERCLAIM CONTRACT

---

THE FOLLOWING DAMAGES HAVE BEEN ASSESSED



**AGAINST YOU:**

Failure to state a claim upon which relief can be granted  
\$1,000,000.00 (One Million US Dollars) per count Per Third  
Party Defendant.

Failure to respond as outlined herein \$1,000,000.00 (One Million  
US Dollars.) per count Per Third Party Defendant.

Default by non response or incomplete response \$1,000,000.00  
(One Million Dollars) per count Per Third Party Defendant.

Dishonor In Commerce - \$1,000,000.00 (One Million Dollars) per  
count per Third Party Defendant.

BARRATRY - \$1,000,000.00 per each Third Party Defendant  
attorney per document appearing to be judicial process which  
is not judicial process.

Fraud - \$1,000,000.00 (One Million US Dollars) per count herein.

Racketeering - \$1,000,000.00 (One Million US Dollars) per count  
per Third Party Defendant.

Theft of Public Funds -\$1,000,000.00 (One Million US Dollars) per  
count per Third Part Defendant.

Failure to pay Counterclaim in full within (30) Thirty  
Calendar Days of Default as contained herein.  
\$1,000,000.00 (One Million US Dollars), per month,  
and interest of 1.5 % per month compounded daily for



**the first (30) Thirty Days from the date of default. After (30) Thirty Days beginning on the (31st) Thirty first Day after Default, the penalties for Failure to pay will increase by \$100,000.00 (One Hundred Thousand Us Dollars Per Day) for each calendar day that this counterclaim is not paid in full, plus interest. After (90) calendar days of the date of Default, the penalties for Failure to Pay Counterclaim will increase by \$1,000,000.00 (One Million US Dollars) per calendar day, that the Counterclaim is not paid in full, plus interest as indicated herein.**

**All Claims are stated in United States Dollars which means that a US Dollar will be defined, for the purposes of this counterclaim as, a One Ounce Silver coin of 99.999% pure silver, or the equivalent par value as established by law or the exchange rate as set by the US Mint, whichever is the higher amount, for a certified One Ounce Silver Coin (US Silver Dollar) at the time of the first day of default as outlined herein, if the claim is to be paid in Federal Reserve Notes, Federal Reserve notes (or equivalent ledger entries) will only be accepted at Par Value as indicated above.**

**Total Damages will be assessed as the total amount of the damages as outlined herein times three (3) for a total of all damages as outlined in the items added to three (3) times the damages, for Punitive, or other**



additional damages.

**MY WORD IS MY BOND.**

I, Kenneth Wayne, certify on my own commercial liability that I have read the above and I have grounds and do know that it is true, correct, and complete, and not misleading, the truth, the whole truth, and nothing but the truth.

Given this day, 05 June, 2009

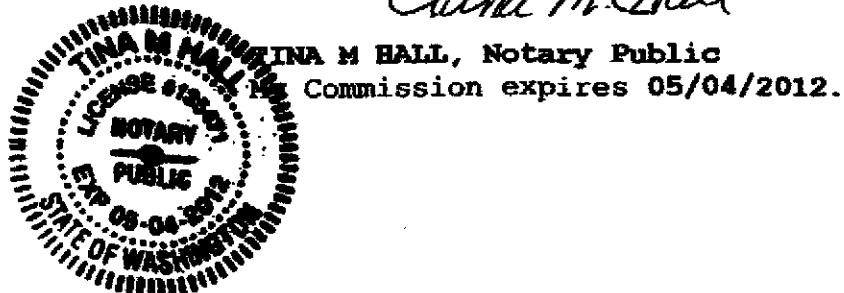
Kenneth Wayne LEAMING  
 Man, Sovereign, Claimant.

**NOTARY VERIFICATION**

I, Tina M Hall, a Notary Public in and for Washington state verify that the above Man is personally known to me or properly identified to me and executed the above signature as his free act and deed.

SERVICE: I have mailed a copy of this instrument to each 3<sup>rd</sup> Party defendant

Notary Seal and Signature:



State of Washington, County of Pierce ss: I, Kevin Stock, Clerk of the aforementioned court do hereby certify that the document SerialID: 0D18A783-F20F-6452-D959274B02FAF96C containing 6 pages plus this sheet, is a true and correct copy of the original that is of record in my office and that this image of the original has been transmitted pursuant to statutory authority under RCW 5.52.050. In Testimony whereof, I have electronically certified and attached the Seal of said Court on this date.



Kevin Stock, Pierce County Clerk

By /S/Melissa Engler, Deputy.

Dated: Sep 30, 2009 3:36 PM



**Instructions to recipient:** If you wish to verify the authenticity of the certified document that was transmitted electronically by the Court, sign on to:  
<https://www.co.pierce.wa.us/cfapps/secure/liinx/courtfiling/certifieddocumentview.cfm>,  
enter SerialID: 0D18A783-F20F-6452-D959274B02FAF96C.  
The copy associated with this number will be displayed by the Court.